

JULY 10, 2014 – COMBINED WORK SESSION/REGULAR MEETING

Minutes of a combined work session/regular meeting of the Town Board of the Town of Somers held on Thursday evening July 10, 2014 at 6:15 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Anthony J. Cirienco
	Councilman	William G. Faulkner
ABSENT:	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to personnel matters.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirienco, the meeting was adjourned to an executive session with regard to personnel matters at 6:15 PM to return that evening.

7:10 PM – meeting reconvened

Councilman Clinchy and Councilman Garrity were present at 7:10 PM.

Boy Scout William Seabert led the Pledge of Allegiance that evening. Councilman Garrity explained that Mr. Seabert was present that evening working on his Communications Merritt Badge.

The Supervisor said that it was in order for the Board to continue the public hearing with regard to a to a proposed Local Law to amend Chapter 170 entitled Zoning, Section 170-13 Multifamily Residence MFR Districts.

7:10 PM – hearing opened
7:20 PM – meeting reconvened

Public hearings for the Zoning Amendment, Sect. 170-13 and the 1994 Comp Master Plan

The Supervisor invited Ms. Syrette Dym, Director of Planning to explain the next steps in with regard to the proposed amendments to the Board. Ms. Dym said that now that the public hearings for the Zoning Amendment and the Master Plan had been closed the Board was in the position to consider the next steps. She explained the Supervisor could add discussion with regard to the 1994 Comprehensive Master Plan to the agenda for consideration of setting a date for the second public hearing. She continued that they might recall that at the June meeting the Supervisor stated that the public hearing with regard to the Comprehensive Master Plan was closed because a second hearing was required for the amendment. Ms. Dym requested that the Town Board set a public hearing date for the second public hearing. She said that written comments were received and a memorandum from her regarding some issues that were raised for the amendments, for both the Comprehensive Master Plan and the Zoning Amendment. She said that a further draft proposed Local Law to both the 1994 Comprehensive Master Plan and the Town Zoning needed to be considered by the Town Board. Ms. Dym said that she was recommending that the Town Board direct her to make further modifications based on any of the comments that they heard that evening to both the Master Plan and the Zoning. She stated based on that she suggested that they set the date for the second public hearing for the Town Board meeting of August 21, 2014. She said that those items could be discussed at length at the August 14, 2014 work session.

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The Supervisor said at that time he was going to direct the Director of Planning to make any further modifications to both of the draft Local Laws as deemed appropriate as a result of that evening's meeting and public input. He said that he would also like to schedule the public hearing with regard to those amendments for August 21, 2014.

Councilman Clinchy said that he would like to have the public hearings in September, since there may be people who wanted to comment that were not going to be available in August due to vacations and such. The Town Attorney said that they could open the public hearing in August and hold them over to the September meeting because they were not going to be voting on the amendments that evening. He said that the hearings could be closed in September and adopt the documents at that time. Councilman Clinchy said that when there was a public hearing of this nature he would prefer to hear the comments and have time to digest them before they took action. Councilman Garrity said that he agreed with Councilman Clinchy considering August 21, 2014 was not a usual meeting date. Councilman Ciriaco said that he agreed with having the public hearings in September. The Supervisor agreed to scheduling the hearings in September. He said that would give people more time to make comments and learn about the proposals.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby set public hearings for the proposed amendments to the 1994 Comprehensive Master Plan and the proposed Local Law to amend Chapter 170 entitled Zoning, Section 170-13 Multifamily Residence MFR Districts Zoning for September 11, 2014.

PUBLIC COMMENT:

Ms. Susan Van Dolsen, of Rye, stated that she was representing the Stop the Algonquin Pipeline Expansion (SAPE) a grassroots group of citizens throughout the area. She said that they had been addressing Town Boards and speaking with residents about their mission to educate the public about the negative impacts associated with SPECTRA Energy Corporation. She read their mission statement to the Town Board. Ms. Van Dolsen said that she was made aware that the Town Board was going to discuss a draft Resolution that evening. She said that it was also her understanding that the pipeline that was slated to come into Somers was no longer going to and the expansion was going to impact the whole region. She said that they could come to another meeting along with experts and studies to discuss this further with the Board. Ms. Van Dolsen said that they had been trying to work through a Resolution with the different levels of Government.

Councilman Clinchy asked Ms. Van Dolsen if it was her groups' position to shut down the existing pipeline or to prevent the expansion. Ms. Van Dolsen explained that the expansion was the issue because of the volume of gas that was going to be coming at high pressure through very large pipelines. She said that some of the major concerns surrounded Indian Point and their proposed Resolutions called for more studies, insurances and due diligences on the parts of the Elected Officials so that those agencies could do the work in a manner that will not harm the citizens.

The Supervisor said that it was his understanding that the only compression station revamp being proposed was to the one in Southeast. Ms. Van Dolsen said that the Supervisor was correct; that one was going to be expanded. The Supervisor said that was going to be regulated by the EPA and the DEC. Ms. Van Dolsen said that the EPA delegated the work to the DEP. The Supervisor said that it wanted to have more science on how that was going to affect Somers. Ms. Van Dolsen said that they wanted that as well.

Councilman Ciriaco said that this was the Algonquin Incremental Marketing Project (AIM) and this had no impact on Somers, it was happening around Somers. Ms. Van Dolsen said that it was originally going to go through Somers and it was moved to Yorktown. She said

that things change, Yorktown simply said no to this and now she did not know where they were going to go with it. She stated that they were all impacted by the Nuclear Power Plant issue, by the air quality and the radioactivity that travels along it.

Councilman Garrity said that this was an agenda item and there were residents present that wanted to make general public comments. The Supervisor said that they will pick this discussion up when that item came up on the agenda. Ms. Van Dolsen gave the Town Clerk literature for the Board's consideration.

Ms. Linda Luciano, 10 Walker Drive, she said that Shenorock was hit in the storm as well a few nights ago. The Supervisor said that it was this understanding that the storm was a microburst, which was like a mini tornado with a very narrow path. Ms. Luciano said that the reason she was there that evening was because it was her understanding that the June 12, 2014 Town Board meeting was held at the Shenorock Community Club House. She said that they may remember her from five years ago when they were fighting about the Park District coming into Shenorock. She continued that she as well as a lot of her neighbors were upset that they were not notified officially about that meeting. Ms. Luciano said that this was not brought to her attention until after it happened and she cannot access the video on the Town's website and the meeting was not playing on the television station. She said that she wished that she had more information with regard to that meeting and the residents of Shenorock should have been formally notified. The Supervisor explained that this was an opportunity where they were invited to have a meeting at the Club House and he invited the Town Engineer to discuss the Shenorock Sewer Study. He said that was a topic that they were going to be discussing over the next several months. He apologized if Ms. Luciano felt slighted. Ms. Luciano said that supposedly it was in the Newspaper but she did not see that or she would have been there, a lot of people would have been there. She said that the same thing happened five years ago, she was not notified and it was like this was being done on the side. She said that it was her understanding that the meeting was very informative and postcards should have been sent out to the residents of Shenorock. The Supervisor said that the information was on the Town website along with the complete report. Ms. Luciano stated that she sent out an e-mail to one hundred residents asking if they knew about the June meeting and only one person responded that they knew. She said that her question was who owned the Lake and 9 Acres parcels at that time. Councilman Clinchy answered that the Town did not own that property. Ms. Luciano said that it was still UOA property and the Town was spending thousands of dollars of taxpayers' money on studies of Shenorock. Councilman Clinchy asked Ms. Luciano if she was asking where the money for the study came from. Councilman Clinchy said that the money was not coming from Somers, it was money that was set aside.

Ms. Luciano said that the study talked about a ten million dollar grant to put in sewers, remediate the Lake and clean up the 9 acres parcel. She said that she knew Councilman Clinchy asked what the cost to the homeowners of Shenorock would be. She said that he was answered roughly \$500.00 to \$700.00 per household. Ms. Luciano asked was that cost covered, was that per home or per assessed value. The Supervisor said that some of Ms. Luciano's questions could be answered that evening because he asked for a representative from Woodard and Curran be present that evening. Ms. Luciano stated that she had a lot of questions. She asked if there was going to be other opportunities to have her questions answered. The Board assured her that there were going to be many opportunities and meetings with regard to this.

Ms. Luciano asked why they were again looking into having a lake and the 9 Acres property cleaned up when they were not owned by the Town.

Mr. Robert Cavino, Walker Drive, said that he found out from the Luciano's about the meeting that the Town Board had in Shenorock. He stated that he was not in favor of paying more taxes. He said that he would liked to have known about the meeting that was held in Shenorock and the Board should have sent something in the mail.

There being no one else to be heard on motion by Supervisor Morrissey, seconded by Councilman Garrity, public comment was declared closed.

The Supervisor said that he had asked Mr. Steve Robins, of Woodard and Curran, to be present that evening to possibly answer some questions. Councilman Clinchy said that he thought that there was a misunderstanding that they could clear up. He asked Mr. Robins what the purpose of the East of Hudson money and the 10 million dollars that had been appropriated. He asked why there were five areas in the County designated as high priority areas, Shenorock being one of them. Councilman Clinchy asked what the purpose was behind this and maybe Mr. Robins could explain this and give a little bit of background.

Mr. Robins explained that the New York City Watershed served a number of Communities in Westchester as well as New York City for drinking water purposes. He explained in order to maintain the high quality of New York City drinking water they set aside funds to protect their Watershed to keep the water that came into their Reservoirs and Aqueducts clean. He continued that this was a good deal for them to pay for Watershed protection opposed to paying for treatment of the water before it was used. Mr. Robins said that they designated a series of areas called targeted improvements in the Watershed, Lake Shenorock being one of them. He said that 10 million dollars was allocated for Watershed improvement measures in that Watershed.

The Supervisor asked Mr. Robins why the Shenorock area would be chosen for the funding. Mr. Robins explained that it was a higher density residential area, in terms of having small lots. He said that it was served by septic systems and New York City's modeling had shown this Watershed to be a target area that with some investment could achieve measurable improvement in water quality. Councilman Faulkner said that this was an identified opportunity for improvement. Mr. Robins said that was correct. Councilman Clinchy asked if it was mandated that it was sewers that were to be put in place. Mr. Robins said that it was not, part of the 10 million dollars allocated was for a study. He explained that the study was intended to look at what could feasibly be done that would result in water quality improvements. He continued that Woodard and Curran took a broad picture view of the Watershed and the issues in the Watershed and developed various alternatives for water quality improvements. Mr. Robins stated among the improvements was the possibility of sewerage, improvements to the lake and improvements to the 9 Acre parcel. Councilman Clinchy asked if the cost of the study was funded by East of Hudson money. Mr. Robins stated that he believed that was correct. He explained that the study was a broad view of the area and they assessed what the various components were in the Watershed. He continued that they developed a series of recommendations to present to the Town Board, the public and the various other stakeholders, which included the DEP and Westchester County. Mr. Robins said that they were still working with Westchester County and getting their input and comments at that time. He said that this would all be tied up when they accepted comments from the public, Town Board and the DEP, revising the 119 page report as necessary. He said that they would then provide the Town Board with a recommendation of what investments could be made with the money that was the Town's to spend from the DEP.

Ms. Stacy Mead, resident of Shenorock, asked percentage wise what was the amount that Shenorock affected the Watershed and why were they the target. She asked how impactful they were to New York City to be spending that kind of money. Mr. Robins said that could not give her a numerical answer. He said that he would bring that question up with the DEP. He explained that the money was allocated in the mid to late 90's. He said that they were just getting to the evaluation of using that money. Mr. Robins said with regard to the percentage, it was a fairly minor amount but they were looking at doing all that they could to protect the Watershed.

Ms. Luciano said that there were several streams that ran into Shenorock that were going into the Lake. She asked why it was only Shenorock that was responsible for the Lake remediation. The Supervisor said that they were not responsible for Lake Remediation.

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Ms. Luciano said that there was a 10 million dollar grant but in the report there was discussion with regard to fixing up the 9 Acres Property, the Lake Remediation and the Sewers that cost was 14 to 17 million dollars. She said that was with a 30% overrun, which meant that it could be up to 22 million dollars. She said that the residents were going to be paying for anything over the 10 million dollars. Councilman Clinchy said that was why they were identifying all the possibilities to use the 10 million dollars most effectively and to minimize the costs to others.

Mr. Dan Pepe, 3 Walker Drive, asked where his property fell within the map that was made. He explained that his property was R-40, he had a septic and his own well. He said that he had an old map that was his parents and his property fell outside the “Shenorock Zone”. Mr. Robins said that the way the money was funded in just stated “Lake Shenorock Area”. He said that they needed to draw a line and the boundaries of the study and the improvements were discussed with the prior Supervisor with the input of the prior Town Board. He said that the improvements that they were looking at benefited the broader Watershed in general. Mr. Robins said that it was at the Town Board’s discretion to direct their study but the limits that they used, he believed was the R-10 Zoning.

Approval
of
minutes

The next item on the agenda was the approval of the minutes.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby approve the minutes of the June 12, 2014 Public hearing regarding a proposed Local Law to amend Chapter 170 entitled Zoning, Section 170-13 Multifamily Residence MFR Districts; a proposed Local Law to amend the 1994 Comprehensive Master Plan Chapter II Residential Development Section C Multi Family Housing; a proposed Local Law to amend Chapter 158 entitled Vehicles and Traffic, Section 158.5 Penalties for offenses and Section 158.7 Wintertime overnight parking restricted and the June 12, 2014 Regular Meeting.

Monthly
reports

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Director of Finance, Parks and Recreation, Tax Receiver, Planning and Engineering, Zoning, Plumbing and Bureau of Fire Prevention.

Renaming
of Park
Office
Building

The Supervisor said that the next item on the agenda was to authorize the renaming of the Parks Office Building to the “Sylvia Kalil Recreation Building”. He explained that Sylvia Kalil was a past Parks and Recreation Superintendent who had recently passed away. He continued that a number of citizens of the Town and the Parks and Recreation Board wanted to memorialize her good efforts and contribution to the Town. The Supervisor said that they were proposing renaming the Parks Office Building to the “Sylvia Kalil Recreation Building”. He stated that there was a committee getting together to decide the best way to put the name on the building. He said that there would be further discussion with regard to this and there would be a dedication ceremony in the future.

Councilman Garrity said that the Parks and Recreation Board discussed Sylvia at their last meeting and she was with the Town for the expansion of most of the Town Parks and oversaw all of that.

Councilman Clinchy said that when Sylvia took over as Parks and Recreation Superintendent, Reis Park was just open land and she oversaw the development of the park.

Ms. Maureen Devine, Susan Drive, Former Councilman, said that she was on the Board that hired Sylvia Kalil and that Board waited for her to be available to be hired. She said that her background and abilities were so superior that they waited for her. She said that Parks and Recreation and Reis Park was what it was today because of Sylvia Kalil.

The Supervisor thanked Ms. Devine for their fore thinking and said that Sylvia was worth the wait.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the renaming of the Parks Office Building to the “Sylvia Kalil, Recreation Building” per email dated June 27, 2014 from James Papa, Chairman of the Parks and Recreation Board.

Request for inclusion into the Amawalk Shenorock Water District

The next item was a request by Mr. Christopher Radding for inclusion into the Amawalk Shenorock Water District. Councilman Faulkner said that he wanted to give a background with regard to this matter. He explained that the Amawalk Shenorock Water District was pre-existing and if they let the sewers go into Shenorock they were going to be facing similar issues as to who they allow to buy into the District and at what rate. He said that the nice thing about this issue was that the District already existed and now they were facing the question as to what they do for people who want to buy in later. Councilman Faulkner said that all of the people who bought in 14 years ago had been assessed additional taxes for each of those years. He said that they did some research and they checked with the Town Attorney and Westchester County and there was some precedence that whereby the County would let a resident buy in at any time and have to pay for the next 20 years total over a 10 year period. He said that seemed to be reasonable, this was that the resident joining did not have a huge bill to pay up front. Councilman Faulkner said that the Board had a petition from a resident to buy into the Amawalk Shenorock Water District in the same fashion as it was done in the County. He said that he understood that this was going to set a precedent and he thought that was a good thing for the residents. Councilman Clinchy said that they discussed this earlier with a resident and they were going to have to pay their share of the capital costs. The Town Attorney said that this property owner was proposing, as part of their petition was instead of 10 years to pay the buy in fee they would pay them over the remaining 7 years of the bond. Councilman Faulkner said that there was a couple of different thoughts with regard to that and he asked Mr. Radding to address the Board with regard to his prospective.

Mr. Radding said that he was unsure as to where the 7 years buy in came in. The Town Attorney said that it was an exhibit as part of his petition. Mr. Radding thinks that was included by the Town. He explained the issue that they were having with their well and why they wanted to join the Water District. He said that it was his thought that everyone was able to pay for the capital improvements over 20 years and he wanted to be able to pay it over the next 20 years as well. Mr. Radding said that if that was not a possibility then the 10 years was the next best option for him and his family.

The Town Attorney explained that Adam Smith, Superintendent of Water and Sewer, took the total buy in amount and made it payable over the next 7 years in the exhibit. He said that was when the debt service ended. He said that there were two different fees in the exhibit and asked Mr. Smith to explain them to the Board. Mr. Smith said that there was a main District fee and the extension area fee. The Town Attorney said that what Mr. Smith came up with and it would cost Mr. Radding about \$2,000.00 for the next 7 years.

Councilman Faulkner said that if the Board was going to be setting precedence by doing this did it not make sense to follow the County and breakout the buy in cost over 10 years.

The Supervisor asked if they needed to have a public hearing with regard to the extension. The Town Attorney said that they would need to have a public hearing on the extension of the Water District to include that property. He said that he did prepare the order calling for the public hearing. He said that the Board could go forward and set that date for the August 21st meeting; in the interim they needed to direct Mr. Smith to go back and amend Exhibit C to match the number of years the Board chose. The Board agreed that they would allow

the 10 year period to pay back the buy in fees for the extension of the Amawalk Shenorock Water District.

The Supervisor said before they adopt the Order he wanted the Town Attorney to clarify the maximum amount proposed to be expended. He said that the Order stated that improvements were \$5,000.00. Mr. Smith explained that amount was to install the waterline from the street to the home. The Town Attorney said that he needed to include a fee in the order, it was just an estimate.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, the Town Board does hereby adopt an Order calling for the public hearing to for the Extension of the Amawalk Shenorock Water District as follows:

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In the Matter of the Extension of The Amawalk Shenorock Water District in the Town of Somers, Westchester County, New York, pursuant to Article 12 of the Town Law. ORDER

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WHEREAS, a petition, a map and plan have been prepared by CHRISTOPHER and CHRISTINE RADDING in such manner and in such detail as has heretofore been determined by the Town Board relating to the extension of The Amawalk Shenorock Water District, and

WHEREAS, said petition, map and plan have been prepared showing the boundaries of the proposed extension and a general plan of the water system connection, and

WHEREAS, said petition, map and plan have been duly filed in the office of the Town Clerk of said Town and are available for public inspection during normal business hours, and

WHEREAS, said map shows the service lines to be connected to the existing water mains, and

WHEREAS, the boundaries of the proposed extension to said district to be known as “Radding Extension” are as follows:

SEE EXHIBIT A

WHEREAS, the improvements proposed are as set forth in the petition, and

WHEREAS, the cost of the improvements, including professional fees, will be paid for by the applicant, and

WHEREAS, the maximum amount proposed to be expended for said improvements is Five Thousand (\$5,000.00) Dollars, and

NOW, on motion of Supervisor Morrissey, seconded by Councilman Clinchy, it is hereby

ORDERED, that the Town Board of the Town of Somers shall meet and hold a public hearing at the Somers Town Hall, 335 Route 202 in said Town on the 21st day of August, 2014, at 7:30 p.m. in that day to consider said petition, map and report and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law.

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Supervisor Rick Morrissey	AYE
Councilman Richard G. Clinchy	AYE
Councilman Thomas A. Garrity, Jr.	AYE
Councilman Anthony J. Ciriaco	AYE
Councilman William G. Faulkner	AYE

and the order was thereupon declared duly adopted.

Dated: Somers, New York
July 10, 2014

Kathleen R. Pacella
Town Clerk

EXHIBIT A

Property Description:

6 Lakeside Drive
Yorktown Heights, NY 10598 (Somers)
Sheet 16.14
Block 1
Lot 20

Draft
Resolution -
Algonquin
Gas
Transmission
pipeline

The Supervisor said that the next item was to discuss the draft Resolution regarding the Algonquin Gas Transmission pipeline. Ms. Flo Brodley, Town of Somers Energy Environment Committee, explained that she attended meeting of the SAPE Group and heard about the Compressor Station in Brewster and about the toxic eliminations that were coming from the existing pipeline. She said that they were unaware of those things and then they heard about SPECTRA Energy trying to enlarge the Compressor Stations and even build others. She said that this could or already had impacted the health and safety of the Communities surrounding it. Ms. Brodley said that she was seeing those Communities building Resolutions and passing them. She continued that considering the fact that the Town Board supported Sustainable Westchester and all of the Clean and Renewable Energy she thought this was the first step that they should take. She said that the Board had a draft Resolution for their consideration and that was taken from many of the Resolutions that were passed from other Towns. Ms. Brodley said that she did place in the Resolution something specific to Somers and that was with regard to first response and she pointed that out to the Board. She said that she felt that this was critically important for the reasons already stated.

Mr. Jerry Ravnitzky, a Founder of the SAPE Group, stated that they were a group of people who were involved in Environmental issues and concerned about safety. He continued that they organized in October 2013 when they knew very little about the issue. He said that they had been researching and learning about this until that time. Mr. Ravnitzky said that it was important that a health impact assessment and a safety study be done before the expansion of the pipeline. He said that it was better to be proactive than reactive and they wanted those studies to be done by an independent Scientific Group that was not associated with either side and acceptable to both sides. He said that they were not talking about not allowing the expansion, they wanted to have scientific information both to the permitting agencies before they made their decisions. Mr. Ravnitzky discussed how the expansion may effect Somers and the effect that it could have on Indian Point with the Town Board.

Further discussion ensued with Ms. Susan Van Dolsen and Mr. Ravnitzky and the Town Board with regard to the expansion of the pipeline and the possible negative effects. Ms. Von Dolsen gave the Board additional literature for their consideration. Ms. Brodley

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pointed out the two major clauses in the draft Resolution that were important to the Somers Energy Environment Committee. Councilman Clinchy asked if they had discussed their concerns with the other State and Federal Representative. Ms. Susan Van Dolsen and Mr. Ravnitzky listed who they had been in contact with and some of the results of those discussions.

Ms. Maureen Devine asked if it was true that the Algonquin Pipeline paid \$5.00 a year in taxes to the Town and if so, was that the procedural minimal to come through the Town. The Town Board did not have an answer for Ms. Devine. Ms. Devine asked them to look into that for her.

Dr. Henry Olsen, Heritage Hills, said that he had been listening about the Algonquin Gas Transmission pipeline the whole evening and the Board was discussing a draft Resolution. He asked where the draft Resolution existed. The Town Clerk answered that the draft Resolution was on the Town website with the agenda information and it was presented to the Town Board by the Somers Energy Environment Committee for discussion.

The Supervisor said that this was a Board discussion with regard to a draft Resolution and they certainly entertained the public to speak and inform them with regard to the issue. He said that he had some reservation with some of the language that was in the draft Resolution. He said that he would like to work with the Somers Energy Environment Committee on tweaking the Resolution before it was adopted. The Supervisor continued that there was a lot of assumptions made in that Resolution and he would be more in favor of a Resolution that requested more studies.

Mr. Allan Golden, Catherine Place, suggested that in the future when a potentially inflammatory item was placed on the agenda such as the Algonquin Pipeline it may be helpful to either have the draft Resolution or a summary attached to the agenda. He said that when he saw this item on the agenda he did his own research.

Ms. Devine said that they might want to ask the Town Attorney but it was always her understanding that when something was draft it was not necessary opened to the public. The Town Attorney said that since the Board was going to discuss this at a work session item they may want the public to be part of that discussion and have the information available. He said that Ms. Devine was correct for the purposes of FOIL but for the purposes of the work session discussion it would have been helpful.

Councilman Clinchy said that he would like to take the opportunity to look over the documentation that Ms. Van Dolsen was sighting and be able to do his own research on the subject.

Councilman Cirienco said that he would like to see some more of the science on this as well. He said that they may also want to ask SPECTRA to come to a Town Board meeting to discuss their position with the Board.

Ms. Van Dolsen said that she would like the Board to keep in mind that this was a time sensitive matter. She said that there was also information on the SAPE website and the address for that was www.sape2016.org.

The next item on the agenda was a request for reimbursement for the groundwater cleanup at the Library.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize reimbursement for the groundwater cleanup project at the Library in the amount of \$2,581.00 per memo dated June 26, 2014 from Patricia Miller, Library Director.

Reimbursement
for the
groundwater
cleanup at the
Library

PERSONNEL:

Current Vacancies:

- Somers Energy Environmental Committee
- Substance Abuse Council (2 – unexpired 3 year terms to December 31, 2016)
- Affordable Housing Board (1 – unexpired 2 year term ending July 11, 2015)
- Affordable Housing Board (4 – 2 year terms ending July 11, 2015)
- Assessment Board of Review (1 – unexpired 5 year term ending September 30, 2015)
- Zoning Board of Appeals (1 – unexpired 5 year term ending December 31, 2016)
- Zoning Board of Appeals (1 – unexpired 5 year term ending December 31, 2017)

Upcoming Vacancies:

The Supervisor said that it was in order to appoint Mr. Victor Cannistra Chairman of the Zoning Board of Appeals.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby appoint Victor Cannistra to Chairman of the Somers Zoning Board of Appeals to fill the unexpired term of Clifford Wohlberg to a term ending December 31, 2014.

The Supervisor said that it was in order to appoint Mr. Dennis McNamara to the Zoning Board of Appeals to an unexpired term ending December 31, 2017.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby appoint Dennis M. McNamara to the Somers Zoning Board of Appeals to fill the unexpired term of Kevin Westerman to a term ending December 31, 2017.

The Supervisor said that he would like to appoint Herbert Oringel as the Town of Somers Sustainability Coordinator. He said that Mr. Oringel would assume that role and step down as the Chair of the Somers Energy Environment Committee. He continued that Mr. Orginel would be the Sustainability Coordinator with Sustainable Westchester and remain on the Somers Energy Environment Committee as a member.

Thereupon motion of Councilman Clinchy, seconded by Supervisor Morrissey, it was unanimously.

RESOLVED, that the Town Board does hereby appoint Herbert Oringel as the Town of Somers Sustainability Coordinator.

The Supervisor said that it was in order to appoint Mr. Michael Blum as Chairman to the Somers Energy Environment Committee.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was

RESOLVED, that the Town Board does hereby appoint Michael Blum to Chairman of the Somers Energy Environment Committee to fill the unexpired term of Herbert Oringel to a term ending December 31, 2014.

VOTE:	AYES	4	Morrissey, Clinchy, Cirienco, Faulkner
	NAYS	1	Garrity

Appoint V. Cannistra Chairman of the Zoning Board of Appeals

Appoint D. McNamara to the Zoning Board of Appeals

Appoint H. Oringel Town of Somers Sustainability Coordinator

Appoint Mr. M. Blum Chairman Somers Energy Environment Committee

The Supervisor said that they still had vacancies on some of their Boards. He said that the Substance Abuse Council had two appointments to fill, Affordable Housing Board needed some volunteers, the Assessment Board of Review needed a member and there was an unexpired five year term for the Zoning Board of Appeals. He said that they were all important Board in the Town. Councilman Clinchy suggested that they could find a way to update the candidates who had expressed interest in Board positions who had not been chosen to fill a vacancy for whatever reason. He said that may generate some interest. The Supervisor said that was a good idea and he would put something together.

Resignation
of K.
Andersen
from the
Somers
Water
Department

The Supervisor said that it was in order to acknowledge the resignation of Mr. Karl Andersen from the Somers Water Department. He said that Mr. Andersen was with the Parks and Recreation Department and moved to the Water Department and now he had taken a position with another Water District. He said that Mr. Andersen will be missed and wished him luck.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge with regret the resignation of Karl Andersen from the Somers Water Department effective July 4, 2014 per letter dated July 1, 2014 from Karl Andersen.

Consensus
agenda

The next item was the consensus agenda.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

Authorize
fees for Solar
Installation

1. RESOLVED, that the Town Board does hereby authorize the following fees for Solar Installation per memo dated June 20, 2014 from Efrem Citarella, Building Inspector:

- a. \$150.00 for both residential and commercial building permits.
- b. \$ 60.00 for residential property for a Certificate of Occupancy.
- c. \$100.00 for commercial property for a Certificate of Occupancy.

Authorize
increase in
EZ-PASS
account

2. RESOLVED, that the Town Board does hereby authorize an increase in EZ-PASS account from \$200.00 to \$500.00 per memo dated June 23, 2014 from Thomas E. Chiaverini, Superintendent of Highways.

Accept
fees

3. RESOLVED, that the Town Board does hereby authorize acceptance of the following fees per memos from Wendy Getting, Senior Office Assistant:

- a. \$39,183.00 – Clayton Blvd. Engineering Fee posted by McCullough, Goldberger and Staudt – 4.20-1-20.
- b. \$47,020.00 – Clayton Blvd. Erosion Control Bond posted by Somers Realty Corp.
- c. \$20,000.00 – The Mews II Pump Station Engineering Inspection Fee posted by McCullough, Goldberger and Staudt – 4.20-1-18.
- d. \$5,000.00 – The Mews II Pump Station Erosion Control Bond posted by Kearney Realty Development Group – 4.20-1-18.
- e. \$500.00 – Meichner Steep Slope & Tree Preservation Permit –

6.14-1-13.2.

Accept replacement bond for the NYSMSA Limited Partnership

- 4. RESOLVED, that the Town Board does hereby authorize the acceptance of a replacement bond for the NYSMSA Limited Partnership d/b/a/ Verizon Wireless – Tower Removal Bond in the amount of \$5,740.00 issued by The Hanover Insurance Company, dated June 11, 2014 for 2580 Route 35 – (SBL-3713-2-3/NY575Amawalk) and,

DOES HEREBY, authorize the acceptance of a Tower Removal Bond No. BLQA328608 in the amount of \$29,002.30 issued by The Hanover Insurance Company, dated June 11, 2014 per memo dated June 23, 2014 from Steven Woelfle, Principal Engineering Technician.

Release Erosion Control Bonds

- 5. RESOLVED, that the Town Board does hereby authorize the release of the following Erosion Control Bonds per memos from Steven Woelfle, Principal Engineering Technician:
 - a. \$200.00 – LaRosa – Stormwater Management & Erosion & Sediment Control Permit – 4.18-1-6.
 - b. \$1,221.00 – The Phillips Group (Chase Manhattan Bank) – Erosion Control Bond – 17.11-1-21.
 - c. \$200.00 – Meadow Ridge Homes, Inc. – Stormwater Management & Erosion & Sediment Control Permit – 4.18-1-17.
 - d. \$200.00 – Schmidberger – Stormwater Management & Erosion & Sediment Control Permit – 16.17-2-5.
 - e. \$200.00 – Harrison (Ingraham) – Stormwater Management & Erosion & Sediment Control Permit – 16.08-1-40.
 - f. \$100.00 – Cordes – Wetland Permit – 16.13-1-42.

Execute the 2014/2015 AAA Agreement with the Westchester County

- 6a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2014/2015 AAA Agreement with the Westchester County Department of Senior Programs and Services in the amount of \$6,324.00 per memo dated July 8, 2014 from Barbara Taberer, Program Director.

Execute the 2014/2015 Westchester County Department of Health Permit

- 6b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2014/2015 Westchester County Department of Health Permit to operate per memo dated July 8, 2014 from Barbara Taberer, Program Director.

Bid for the selling of old surplus office equipment

- 7. RESOLVED, that the Town Board does hereby authorize going to bid for the selling of old surplus office equipment.

The Supervisor said that the Town had a very successful Independence Day Celebration at Reis Park. He said that he would like to publically thank the individuals and companies that contributed to the Fireworks Display. He read the list of contributors.

The Supervisor said that the next Town Board meeting will be a work session on August 14, 2014.

Councilman Garrity said that he wanted to wish the two Baseball Teams luck that were leaving to go to Cooperstown for the Annual Baseball Tournament.

Councilman Cirienco said that he wanted to give a wrap up on the Relay For Life event. He said that at that moment they had raised \$160,641.31 which was amazing. He said that they had been doing this for the last four years and they had raised over \$400,000.00. Councilman Cirienco said that next year was the drive for \$500,000.00.

JULY 10, 2014 – COMBINED WORK SESSION/REGULAR MEETING

Councilman Cirieco said that there was also a great article about the Somers Education Foundation. He asked Councilman Faulkner, the President of the Somers Education Foundation to tell them about that article.

Councilman Faulkner said that Somers Education Foundation had given away their one millionth dollar after only 20 years in existence. He said that meant the charitable, generous people of the Somers Community had given at least \$50,000.00 on a continued annual basis. He said that money had done some amazing things, from the smart boards to the power Libraries and the list going on and on. Councilman Faulkner gave kudos to all of the volunteers and stated that they could not do this without the generosity of the citizens of Somers.

Supervisor Morrissey said with the summer weather much like the microburst that was experienced recently any resident who was not signed up for CODE Red should do so as soon as possible. He explained that when and if there were events that warranted information with regard to an emergency issue this was how people were contacted.

The Supervisor said for the residents that were effected by the microburst, their hearts went out to them and they could contact the Town if they needed assistance. He said that he knew that the Somers Highway Department was out clearing trees that had fallen and opening blocked roads.

Supervisor Morrissey wished everyone a Happy and Safe Summer.

Claims for the payment of all Town Bills in the amount of \$592,965.84 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity the meeting was adjourned at 9:10 PM.

Town Clerk